

#0848

DRINKER BIDDLE & REATH LLP
A Delaware Limited Liability Partnership
500 Campus Drive
Florham Park, New Jersey 07932-1047
(973) 360-1100

Attorneys for Defendants,
JOHNSON & JOHNSON, JOHNSON & JOHNSON
PHARMACEUTICAL RESEARCH & DEVELOPMENT, L.L.C.,
and ORTHO-McNEIL PHARMACEUTICAL, INC., now known as ORTHO-McNEIL-
JANSSEN PHARMACEUTICALS, INC.

FILED

MAY 01 2009

Judge Jamie D. Happas

ANDREA SMILEY,

Plaintiff,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NUMBER MID-L-9627-07-MT

v.

CIVIL ACTION

JOHNSON & JOHNSON, JOHNSON &
JOHNSON PHARMACEUTICAL
RESEARCH & DEVELOPMENT, L.L.C.,
ORTHO-McNEIL PHARMACEUTICAL,
INC. and ORTHO-McNEIL, INC.,

IN RE ORTHO EVRA® BIRTH CONTROL
PATCH LITIGATION
CASE CODE 275

ORDER

Defendants.

THIS MATTER having been brought before the Court by Drinker Biddle & Reath LLP, attorneys for Defendants Johnson & Johnson, Johnson & Johnson Pharmaceutical Research & Development, L.L.C., and Ortho-McNeil Pharmaceutical, Inc., now known as Ortho-McNeil-Janssen Pharmaceuticals, Inc. (“Defendants”), to dismiss the Complaint of Andrea Smiley without prejudice for failure to provide a Plaintiff Fact Sheet and medical authorizations pursuant to Case Management Order No. 2; and such dismissal without prejudice being authorized by R. 4:23-5(a) for failure to provide discovery; the Court having considered the papers submitted; and the Court having heard the arguments of counsel, if any, and for good cause shown;

IT IS ON THIS 1st day of May, 2009

ORDERED that Defendants' motion is hereby **GRANTED** and that Plaintiff's Complaint is **DISMISSED** without prejudice pursuant to R. 4:23-5(a); and it is further

ORDERED that a signed copy of this Order be served on all counsel within 7 days of the date hereof.



Hon. Jamie D. Happs, J.S.C.

X Unopposed

____ Opposed

Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R.1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.

ORDERED that counsel for the delinquent party shall serve upon his or her client in accordance with R. 4:23-5(a)(1) a copy of this Order and the notice set forth in Appendix II-F of the Court Rules